

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BOSTON PARENT COALITION FOR  
ACADEMIC EXCELLENCE CORP.,

Plaintiff,

v.

SCHOOL COMMITTEE OF THE CITY OF  
BOSTON, ALEXANDRA OLIVER-DAVILA,  
MICHAEL O'NEIL, HARDIN COLEMAN,  
LORNA RIVERA, JERI ROBINSON, QUOC  
TRAN, ERNANI DeARAUJO, and BRENDA  
CASSELLIUS,

Defendants,

THE BOSTON BRANCH OF THE NAACP,  
THE GREATER BOSTON LATINO  
NETWORK, ASIAN PACIFIC ISLANDER  
CIVIC ACTION NETWORK, ASIAN  
AMERICAN RESOURCE WORKSHOP,  
MAIRENY PIMENTAL, and H.D.,

Defendants-Intervenors.

Civil Action No. 1:21-cv-10330-WGY

**DEFENDANTS' MOTION FOR 30-DAY EXTENSION OF TIME TO FILE ANSWER**

Defendants School Committee of the City of Boston, School Committee members Alexandra Oliver-Davila, Michael O'Neil, Hardin Coleman, Lorna Rivera, Jeri Robinson, Quoc Tran, and Ernani DeAraujo and Superintendent of Boston Public Schools Brenda Cassellius, hereby move for a 30-day extension of time, up to and including April 21, 2021, in which to file their Answer in this matter. Alternatively, Defendants request that the Court order that the parties' already-filed statement of agreed-upon facts and exhibits serve as Defendants' Answer to the Complaint.

In support of this motion, Defendants state:

- 1) Given the March 1, 2021 service of the Complaint, Defendants' answer is currently due to be filed by Monday, March 22, 2021.
- 2) However, as the Court is well aware, the parties have already submitted extensive (nearly 2,000 pages worth) of agreed-upon facts and exhibits as evidence in this matter. The parties, moreover, are working in earnest on their briefs on the merits with deadlines looming.
- 3) Under these circumstances, Defendants respectfully aver that having to specifically answer the factual allegations in Plaintiff's 25-page, 69 paragraph Complaint – not to mention its 118 pages of attached exhibits – at this juncture of the proceedings would serve little purpose other than to waste Defendants' and its counsel's valuable time.
- 4) Indeed, given the agreed-upon facts and exhibits and the Court's previous hearings in this matter, the parties' relative positions are clear. Plaintiff cannot legitimately claim that an Answer is necessary for the prosecution of its case at this time.
- 5) In the alternative, to the extent the Court deems an Answer necessary now, Defendants respectfully request that the Court order that the parties' already-submitted agreed-upon facts and exhibits serve as Defendant's Answer to the allegations in the Complaint.

WHEREFORE, Defendants request a 30-day extension of time, up to and including April 21, 2021, in which to file their Answer in this matter. Alternatively, Defendants request that the Court order that the parties' already-filed statement of agreed-upon facts and exhibits serve as Defendants' Answer to the Complaint.

Respectfully submitted,

SCHOOL COMMITTEE OF THE CITY OF  
BOSTON, ALEXANDRA OLIVER-DAVILA,  
MICHAEL O'NEIL, HARDIN COLEMAN,  
LORNA RIVERA, JERI ROBINSON, QUOC  
TRAN, ERNANI DeARAUJO, and BRENDA  
CASSELLIUS,

By their attorneys,

/s/John M. Simon

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Dated: March 19, 2021

Certification Pursuant to Local Rule 7.1(A)(2)

I hereby certify that, pursuant to Local Rule 7.1(A)(2), Defendants' counsel conferred with Plaintiff's counsel, Callan Stein, Esq., and unsuccessfully attempted to confer with Intervenor's counsel, Doreen Rachal, Esq., by email on March 19, 2021 regarding the subject matter of this motion in a reasonable and good faith attempt to resolve and/or narrow the issues addressed herein.

/s/John M. Simon

John M. Simon

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent by first class mail, postage prepaid, to those indicated as non-registered participants on March 19, 2021.

/s/John M. Simon

John M. Simon